

**CERTIFICATE OF CORPORATE RESOLUTIONS  
OF  
BOARD OF DIRECTORS  
TANGLEWOOD CIRCLE HOMEOWNERS ASSOCIATION, INC.**

**Relating to the adoption of  
RULES AND REGULATIONS ESTABLISHING A  
FINING POLICY**

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The undersigned Officer of **TANGLEWOOD CIRCLE HOMEOWNERS ASSOCIATION, INC.**, a Texas non-profit corporation (the "Association"), does hereby certify that at a regular meeting of the Board of Directors ("Board") of the Association held on July 21, 2021, with at least a majority of the Board of Directors being present, the following resolutions were duly made and approved by the Board of Directors:

[Capitalized terms used herein have the same meaning as set forth in the Declaration]

**WHEREAS**, pursuant to (i) that certain "Declaration of Covenants, Conditions, Restrictions and Easements for Tanglewood Circle" recorded under County Clerk File No. R049537 of the Real Property Records of Harris County, Texas, together with all amendments thereto (the "Declaration"), (ii) the Articles of Incorporation of the Association ("Articles") attached as an exhibit to the Notice of Dedicatory Instruments recorded under County Clerk's File No. 20110548275 of the Real Property Records of Harris County, Texas, (iii); the Bylaws ("Bylaws") of the Association attached as an exhibit to the Notice of Dedicatory Instruments recorded under County Clerk's File No. 20110548275 of the Real Property Records of Harris County, Texas, (iv) the Pet Rules and Regulations, recorded or to be recorded in the Real Property Records of Harris County, Texas ("Pet Rules"); and (v) the following dedicatory instruments, all applicable to the Association, and any amendments thereto, attached as exhibits to the Notice of Dedicatory Instruments recorded under County Clerk's File No. 20110548275 of the Real Property Records of Harris County, Texas: Guidelines Relating to Rain Barrels and Rain Harvesting Systems, Solar Energy Devices, Storm and Energy Efficient Shingles, Flags, and Religious Items; Payment Plan Policy; Records Retention Policy; Open Records Policy; and Architectural Guidelines (the foregoing Declaration, Articles, Bylaws, Pet Rules, and dedicatory instruments now existing or hereafter adopted being sometimes hereinafter referred to as the "Governing Documents"); the Association, acting by and through the Board, is responsible for administering the Community Properties, Lots, Private Driveways, Private Driveway Easements, Shared Utility Facilities, Subdivision, Subdivision Access Facilities, Subdivision Service Easement, and Utility Easement Area, all in TANGLEWOOD CIRCLE, a subdivision (the "Subdivision") and the restrictive covenants set forth therein governing the Subdivision; and

**WHEREAS**, (i) Section 204.010(a) of the Texas Property Code authorizes the Association, acting through its Board, in subsection 6, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision; in subsection 19, to exercise other powers conferred by the restrictions, its articles of incorporation, or its bylaws; in subsection 20, to exercise other powers that may be exercised in this state by a corporation of the same type as the property owners' association; and in subsection 21, to exercise other powers necessary and proper for the governance and operation of the property owners' association); and Section 204.010(b) of the Texas Property Code provides that the powers enumerated by such section are in addition to any other powers granted to a property owners' association by this chapter or other law; (ii) Article VII, Section 7.21 of the Declaration

authorizes the Board to promulgate and modify such reasonable Rules and Regulations applicable to the operation, use and occupancy of the Subdivision, including the Lots and the Community Properties, as the Board shall from time to time deem beneficial to the Subdivision; and in Article V, Section 5.01(b)(iv); Section 5.06(a) (iii) and (v), the Association may levy Specific Assessments against individual Lots and the Owners thereof at the time liability for same accrues as to Compliance Costs, and other monetary obligations established by or pursuant to the Declaration, or Governing Documents, including reasonable charges as the Board may by resolution from time to time determine for the levy of fines; and Article IV, Section (c) of the Articles provides the Association certain rights and powers, to be exercised by its Board of Directors, including without limitation, the right to cause to be enforced the restrictions and covenants imposed upon all or part of the Subdivision by the Declaration; and (iii) Article IV, Section One(4) of the Bylaws grants to the Board the power to exercise for the Association all powers granted to the Association and/or the Board of Directors under the Declaration; and

**WHEREAS**, pursuant to the authority provided by the Texas Property Code, the Declaration, Articles, and the Bylaws, the Board has deemed it necessary to adopt Rules and Regulations establishing a Fining Policy for violations and infractions of the Governing Documents applicable to the Subdivision;

**NOW, THEREFORE, BE IT RESOLVED**, the Board on behalf of the Association hereby adopts the following policy for the levy of fines, as follows:

**RULES AND REGULATIONS  
ESTABLISHING A FINING POLICY**

1. Owners are responsible for assuring that their residents, guests, and invitees comply with the provisions of the Governing Documents. In the event an Owner, occupant, guest or invitee of an Owner's Lot violates any of the provisions of the Governing Documents, the Board shall have the authority to impose a fine upon the Owner of the Lot for each violation.

2. Upon determining that a violation of the Governing Documents has occurred, the Association or its agent shall give written notice to the Owner by verified mail. The notice shall:

- (i) describe the violation that is the basis of the fine, stating the amount of the proposed fine; and
- (ii) provide the Owner with a reasonable period and specified date to cure the violation and avoid the fine *if the fine is of a curable nature and does not pose a threat to public health or safety*; allows the Owner the right to request a hearing before the Board on or before the 30<sup>th</sup> day after the notice was mailed to the owner; and notifies the Owner that the Owner may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) if the Owner is serving on active military duty.

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Provided, however, that no written notice pursuant to this paragraph 2 shall be required as to any violation which is the same or similar to a violation for which the Owner has been previously given notice under this paragraph 2 within the preceding six months.

In the event of any conflict between the foregoing and the provisions of Section 209.006 of the Texas Property Code, the provisions of Section 209.006 of the Texas Property Code shall prevail.

Further, Section 209.006(f) establishes the criteria as to whether a violation considered a threat to public health or safety; and Sections 209.006 (g), (h), and (i) establishes criteria and examples of "uncurable" and "curable" violations.

3. In the event an Owner requests a hearing before the Board, the Board shall hold a hearing not later than thirty (30) days after the date the Board receives the Owner's request for a hearing and shall notify the Owner of the date, time, and place of the hearing no later than the tenth (10<sup>th</sup>) day before the date of the hearing. The Board or the Owner may request a postponement, and if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties.

In the event of any conflict between the foregoing and the provisions of Section 209.007 of the Texas Property Code, the provisions of Section 209.007 of the Texas Property Code shall prevail.

4. The Association must give notice of the levied fine to the Owner no later than the thirtieth (30<sup>th</sup>) day after the date a fine has been levied against the Owner. All fines will be due and payable immediately as of the date of the notice stating that a fine has been levied.

5. Fines may be imposed against any Owner for any infraction of the Governing Documents. As of the date of the adoption of this Fining Policy, the fining structure is as follows:

- A. If a violation consists of a single occurrence or separate occurrences, the Fine Structure shall be as follows:  

FIRST VIOLATION:	\$50.00 per violation
SECOND VIOLATION:	\$75.00 per violation
EACH SUBSEQUENT VIOLATION:	\$100.00 per violation
- B. If a violation is of a continuous, ongoing nature without intervening activity by the Owner responsible for the violation, the Fine Structure shall be \$25.00 per day until corrected.

The Fine Structure established above may be modified (increased or decreased) at any time and from time to time by the Board; provided, however, that any modification to such Fine Structure shall be made on a uniform basis to all owners from and after the effective date of any such modification. Further, fines may be levied pursuant to the foregoing Fining Policy in addition to and cumulative with any other enforcement action or procedure allowed by the Governing Documents.

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6. Any fines levied pursuant to this Fining Policy shall be assessed against the individual Lot and Owner of such Lot made the subject of such fine as a Specific Assessment for Compliance Costs, secured by the lien in favor of the Association, as created and reserved in the Declaration.

This Fining Policy shall replace and supersede any prior or existing fining policy heretofore established by the Association.

**EFFECTIVE DATE:** This Fining Policy shall be effective upon the recordation of this policy as a "dedicatory instrument" in the Real Property Records of Harris County, Texas.

**IN WITNESS WHEREOF,** the undersigned has hereunto set his/her hand at Houston, Texas, this 21<sup>st</sup> day of July, 2021.

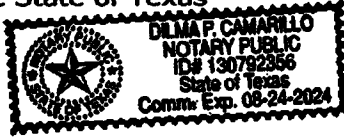
**TANGLEWOOD CIRCLE HOMEOWNERS ASSOCIATION, INC.,** a Texas non-profit corporation

By: [Signature]  
(signature)  
Chris Hingle  
(name printed)  
Its: President  
(title/position)

THE STATE OF TEXAS :  
:  
COUNTY OF HARRIS :

This instrument was acknowledged before me on the 21 day of July, 2021 by Chris Hingle, President of **TANGLEWOOD CIRCLE HOMEOWNERS ASSOCIATION, INC.** a Texas non-profit corporation, on behalf of said corporation.

[Signature]  
Notary Public in and for  
the State of Texas



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# Pages 5  
08/31/2021 01:22 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$30.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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